

SEP 28 2010

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

TIMOTHY R. MUELLER,  
Plaintiff,

v.

JOHN M. JABE,  
Defendant.

) Civil Action No. 7:10-cv-00239  
)  
)  
)

) **ORDER**  
)

) By: Hon. Jackson L. Kiser  
) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that plaintiff's motion for the appointment of counsel is **DENIED**; plaintiff's motion for class action certification is **DENIED**; plaintiff's motion to amend is **DENIED as moot**; and plaintiff's motion to change venue is **DENIED**.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 28th day of September, 2010.

*[Signature]*  
Senior United States District Judge